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Assistant Commissioner for Patents,
Washington, D.C. 20231,
on

By Christopher M. Gombicki
(350,800)

COPY FOR CONTINUING APPLICATION

PATENT

Attorney Docket No. 16528x-000126US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

STEPHEN P.A. FODOR et al.

Serial No.: 08/466,632

Filed: June 6, 1995

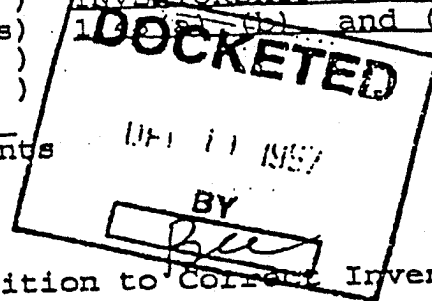
For: ARRAYS OF MATERIALS
ATTACHED TO A SUBSTRATE (as
amended)

Examiner: P. Tran

Art Unit: 1807

**STATEMENT OF FACTS IN SUPPORT
OF (1) PETITION TO CORRECT
INVENTORSHIP UNDER 37 CFR
1.48(a), (b), and (c)**

Assistant Commissioner for Patents
Washington, D.C. 20231



Sir:

In support of the Petition to Correct Inventorship under 37 CFR 1.48(a), (b), and (c) the undersigned submits the following statement of facts, as verified by the originally named inventors and the newly named inventors of the above-captioned patent application:

STATEMENT OF FACTS

I, Vern Norviel, state as follows:

1. I am currently a registered patent attorney employed with Affymetrix, Inc., 3380 Central Expressway, Santa Clara, California 95051.

2. The above-captioned application was filed on June 6, 1995, as a Rule 60 Division Application of U.S. Patent Application Serial No. 08/390,272. Claims 3-56 were cancelled pursuant to a preliminary amendment filed concurrently with the application. The application, as filed, listed as inventors:

Stephen P.A. Fodor;

Lubert Stryer;

James L. Winkler;

STEPHEN P.A. FODOR et al.
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Page 2

PATENT

Christopher P. Holmes; and
Dennis W. Solas.

Based upon the remaining claims, this inventorship was believed to be correct.

3. In a first Supplemental Preliminary Amendment, mailed November 3, 1995, claims 1 and 2 were canceled and new claims 57-62 were presented. In a second Supplemental Preliminary Amendment mailed May 31, 1996, claims 57-62 were canceled and new claims 63-77 were presented. The subject matter of these new claims was disclosed, but not claimed in the application as filed. An amendment submitted July 23, 1997, added new claims 80-91. The subject matter of these new claims was disclosed, but not claimed in the application as filed.

4. Based upon the added claims remaining in the application, it has been determined that the inventorship of the application, as currently listed, is incorrect. In particular, the cancellation of claims resulted in the inventions of James L. Winkler, Christopher P. Holmes and Dennis W. Solas no longer being claimed. Further, the addition of claims directed to subject matter that had been disclosed but not previously claimed in this application, as filed, necessitated the addition of new inventors Michael C. Pirrung and J. Leighton Read.

5. To the extent that there is an error in the inventorship of the present application, it occurred inadvertently and without deceptive intent.

6. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under § 1001 of Title 18 of the United

STEPHEN P.A. FODOR et al.
Serial No.: 08/466,632
Page 3

PATENT

States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,




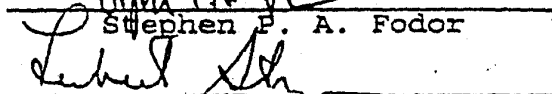
Vern Norviel
Reg. No. 32,483

We, the originally named inventors on U.S. Patent Application Serial No. 08/466,632, have reviewed the above Statement of Facts, and to the best of our knowledge, it is true and correct. This statement is made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under § 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

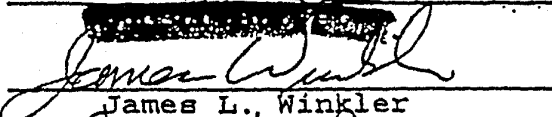
Dated: 14 October 1997


Stephen P. A. Fodor

 October 10, 1997


Robert A. Fodor

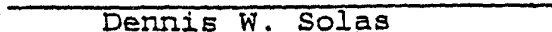
Dated: 10/20/97


James L. Winkler

Dated: Oct 15, 1997


Christopher P. Holmes

Dated: _____


Dennis W. Solas

We, the newly named inventors in U.S. Patent Application Serial No. 08/466,632, have reviewed the above Statement of Facts, and to the best of our knowledge, it is true and correct. This statement is made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under § 1001 of Title 18 of the United States Code, and that such willful false statement may

STEPHEN P.A. FODOR et al.

Serial No.: 08/466,632

Page 3

PATENT

States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Vern Norviel
Reg. No.32,483

We, the originally named inventors on U.S. Patent Application Serial No. 08/466,632, have reviewed the above Statement of Facts, and to the best of our knowledge, it is true and correct. This statement is made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under § 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

Dated: _____

Stephen P. A. Fodor

Dated: _____

Lubert Stryer

Dated: _____

James L. Winkler

Dated: _____

Christopher P. Holmes

Christopher W. Solor

We, the newly named inventors in U.S. Patent Application Serial No. 08/466,632, have reviewed the above Statement of Facts, and to the best of our knowledge, it is true and correct. This statement is made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under § 1001 of Title 18 of the United States Code, and that such willful false statement may

PATENT

STEPHEN P.A. FODOR et al.
Serial No.: 08/466,632
Page 4

jeopardize the validity of the application or any patent issuing thereon.

~~10/15/97~~
Dated: _____

[Signature]
~~Michael C. Pirrung~~

Michael C. Pirrung

Affymetrix, Inc.
3380 Central Expressway
Santa Clara, CA 95051
Phone: (408) 731-5991
Fax: (408) 481-4709

04/21/98

12:27

AFFYMETRIX - 650 325 2422

PATENT

STEPHEN P.A. FODOR et al.
Serial No.: 08/466,632
Page 4

jeopardize the validity of the application or any patent issuing thereon.

Dated: _____

~~_____~~: 10/31/97

J. Leighton Read
Michael O. Parry
~~_____~~

Affymetrix, Inc.
3380 Central Expressway
Santa Clara, CA 95051
Phone: (408) 731-5991
Fax: (408) 481-4709

COPY FOR CONTINUING APPLICATION

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Washington, D.C. 20231,
on

PATENT

Attorney Docket No. 16528X-000120

By Christopher M. Harbode (38,800)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

STEPHEN P.A. FODOR et al.

Application No.: 08/466,632

Filed: June 6, 1995

For: ARRAYS OF MATERIALS
ATTACHED TO A SUBSTRATE (as
amended)

Examiner: Unassigned

Art Unit: 1807

CONSENT OF ASSIGNEE TO
CORRECTION OF INVENTORSHIP
UNDER 37 C.F.R. § 1.48(a)(4)

DEC 11 1997

BY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Affymetrix, Inc., of Santa Clara, California, the
assignee of the above-identified patent application filed in the
name of Stephen P.A. Fodor et al., hereby consents to the
addition of Michael C. Pirrung and J. Leighton Read as named co-
inventors and to the deletion of James L. Winkler, Christopher F
Holmes, and Dennis W. Solas as named co-inventors in said patent
application.

AFFYMETRIX, INC

Date:

11/10/97

BY

Vern Norviel
Name: Vern Norviel
Title: Vice President and
General Counsel

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34/21/98

12:23

AFFYMETRIX - 650 325 2422

COPY FOR CONTINUING APPLICATION

I hereby certify that this correspondence has been
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Assistant Commissioner for Patents,
Washington, D.C. 20231,
on

Nov. 20, 1997

PATENT

Attorney Docket No. 16528X-00012

By Christopher H. Hemlock:
(38,600)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

STEPHEN P. A. FODOR et al.

Application No.: 08/466,632

Filed: June 6, 1995

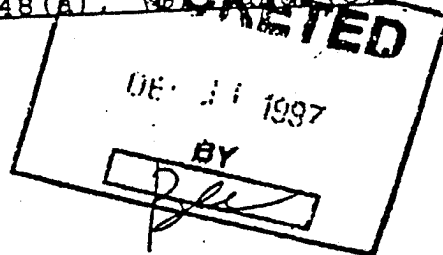
For: ARRAYS OF MATERIALS
ATTACHED TO A SUBSTRATE
(as amended)

)
) Examiner: P. Tran

)
) Art Unit: 1807

)
) PETITION TO CORRECT
) INVENTORSHIP UNDER 37 CFR
) 1.48 (A). DOCKETED

Assistant Commissioner for Patents
Washington, D.C. 20231



Sir:

Applicants hereby petition to correct the inventorship of the above-captioned application under 37 CFR 1.48 (a), (b), and (c).

The present application is a Rule 60 division of U.S.S.N. 08/390,272, and currently names as inventors Stephen P.A. Fodor, Lubert Stryer, James L. Winkler, Christopher P. Holmes and Dennis W. Solas. Applicants wish to delete James L. Winkler, Christopher P. Holmes and Dennis W. Solas as named inventors under 37 CFR 1.48(b). The deletion of these inventor is necessitated by the cancellation of claims in the application as filed, which resulted in the deleted persons no longer being inventors of the invention being claimed.

In addition, Applicants wish to add as inventors Michael C. Pirrung and J. Leighton Read under 37 CFR 1.48(a) and (c). These inventors are not listed as inventors on the present application through error and without deceptive intent. In particular, in a preliminary amendment mailed May 31, 1996,

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STEPHEN P. A. FODOR et al.
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Page 2

Applicants presented new claims 63-77. Further, in an amendment filed July 23, 1997, Applicants presented new claims 80-91 (claims 78 and 79 were presented in the response to the Office Action mailed August 21, 1996, which response was hand delivered on September 23, 1996). Based upon the new claims remaining in the application, it has been determined that the correct inventorship for the present application should be:

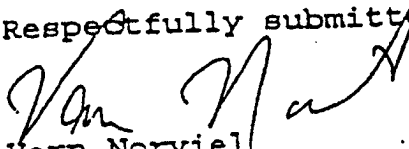
Stephen P. A. Fodor;
Lubert Stryer;
Michael C. Pirrung; and
J. Leighton Read.

Accordingly, Applicants respectfully request that inventors Pirrung and Read be added to the instant application and that James L. Winkler, Christopher P. Holmes, and Dennis W. Solas be deleted. Applicants' submit herewith:

- (1) A Statement of Facts verified by the original named inventors;
- (2) A declaration by each actual inventor;
- (3) The written consent of the Assignee of record; and
- (4) A Supplemental Amendment correcting the list of inventors on the cover sheet.

Applicants hereby authorize the charging of the petition fees under 37 CFR 1.17(h) of \$260.00 to Deposit Account No. 01-0431.

Respectfully submitted,


Vern Norviel
Reg. No. 32,483

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